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21 Attorneys for Progressive Casualty Insurance Company

22 **UNITED STATES DISTRICT COURT**
23 **DISTRICT OF NEVADA**

24 PROGRESSIVE CASUALTY
25 INSURANCE COMPANY,

26 Plaintiff,

27 v.

JACKIE K. DELANEY; LARRY E.
CARTER; MARK A. STOUT; KENNETH
TEMPLETON; JOHN SHIVELY;
STEVEN C. KALB; JEROME F.
SNYDER; HUGH TEMPLETON; RICK
DRESCHLER; and the FEDERAL
DEPOSIT INSURANCE CORPORATION
as receiver for SUN WEST BANK,

Defendants.

Case No. 2:11-CV-00678-LRH-PAL

**PLAINTIFF PROGRESSIVE
CASUALTY INSURANCE
COMPANY'S MEMORANDUM
REGARDING DOCUMENTS
FILED UNDER SEAL**

**PLAINTIFF PROGRESSIVE CASUALTY INSURANCE COMPANY'S
MEMORANDUM REGARDING DOCUMENTS
FILED UNDER SEAL**

On October 25, 2013, Defendant Federal Deposit Insurance Corporation, as Receiver of Sun West Bank ("FDIC-R"), filed a Motion to Seal the FDIC-R's Motion to Compel Discovery [DE 69]. That same day, the FDIC-R filed its Motion and exhibits under seal. Having carefully considered the documents at issue, Plaintiff Progressive Casualty Insurance Company has determined that it does not believe it is necessary for the Motion or exhibits to remain under seal.

On November 20, 2013, Progressive filed its opposition to the FDIC-R's Motion to Compel Discovery. The CM/ECF system required Progressive to file its opposition brief under seal. Progressive does not believe the brief or the accompanying declaration of Matthew J. Dendinger need to remain under seal.

Respectfully submitted this 22nd day of November, 2013.

HOWARD & HOWARD

By /s/ Thomas W. Davis, II

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 22nd day of November, 2013, I caused a copy of the foregoing **Plaintiff Progressive Casualty Insurance Company's Memorandum Concerning Documents Filed Under Seal** to be electronically served upon all attorneys of record in this action.

Barbara Dunn
An Employee of Howard & Howard